

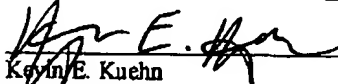
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CERTIFICATE OF FACSIMILE TRANSMISSION

PATENT

I hereby certify that this correspondence is being transmitted via facsimile to the Office of Petitions, U.S. Patent and Trademark Office, at fax number 571-273-8300 on August 11, 2011.


Kevin E. Kuehn
Reg. No, 51904

August 11, 2011
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OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant[s]: Johannes Martin et al.
Serial No.: 08/978,839
Patent No.: 6,067,916
Filing Date: November 26, 1997
Examiner: Ljiljana V. Ciric
Art Unit: 3743
Title: PROCESS AND DEVICE FOR PRODUCING AND UTILIZING GAS FROM WASTE MATERIALS
Attorney Docket: MTIN-02
Confirmation No.: 4935

August 11, 2011

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**REQUEST FOR RECONSIDERATION OF DECISION REGARDING
NOTIFICATION OF ERROR IN PAYMENT OF FEE(S)
AS A SMALL ENTITY (37 C.F.R. §1.28(c))**

1. This is a request for reconsideration of a decision in a Notice dated July 18, 2011, regarding non-acceptance of a prior deficiency submission made on May 25, 2011, under 37 C.F.R. 1.28. This prior deficiency submission was entitled "NOTIFICATION OF ERROR IN PAYMENT OF FEE(S) AS A SMALL ENTITY (37 C.F.R. §1.28(c))" and is attached hereto as Exhibit A.

Adjustment date: 09/26/2011 CKHLOK
06/06/2011 DALLEN 00000015 233000 6067916
01 FC:1599 1825.00 CR

2. Patent Owner respectfully requests reconsideration of the prior deficiency submission in Exhibit A.

09/26/2011 CKHLOK 00000015 233000 6067916

01 FC:1551 980.00 DA
02 FC:1552 2480.00 DA

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3. In the alternative, the prior deficiency submission in Exhibit A is hereby supplemented to replace original paragraph 4 with the following amended paragraph 4. The "Filing Date of Original Paper" for the "7.5 yr. Maintenance Fee" payment was indicated as "8/25/2005" in the prior deficiency submission. However, Patent Owner paid the "7.5 yr Maintenance Fee" on 11/22/2007. Amended paragraph 4 reflects the actual date of payment, i.e. 11/22/2007 with underlining and with the 8/25/2005 stricken out. No other amendments have been made to paragraph 4.

4. (Amended) Itemization of the Fee(s) Erroneously Paid as a Small Entity

Filing Date of Original Paper	Type of Fee Paid	Column A Current Fee as a large entity	Column B Amount originally paid	Deficiency Owed (based on current fee amount) Col. A minus Col. B)
11/6/2003	3.5 yr. Maintenance Fee	\$980	\$455	\$525
<u>11/22/2007</u> 8/25/2005	7.5 yr. Maintenance Fee	\$2480	\$1180	\$1300
TOTAL				\$1825

In view of the payment of this deficiency per 37 C.F.R. §1.28(c) as set out in Exhibit A, or alternatively as set out above, Patent Owner respectfully requests that the USPTO correct the file to indicate large entity status, and that the erroneous establishment of small entity status be excused.

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If any additional fees are necessary to complete this communication, the Commissioner may consider this to be a request for such and charge any necessary fees to Deposit Account No. 23-3000.

Respectfully submitted,
WOOD, HERRON & EVANS, L.L.P.

By: Kevin E. Kuehn
Kevin E. Kuehn, Reg. No. 51,904

2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202-2917
Voice: (513) 241-2324
Facsimile: (513) 241-6234